

**U.S. District Court**  
**District of Columbia (Washington, DC)**  
**CIVIL DOCKET FOR CASE #: 1:18-cv-01344-KBJ**

AMERICAN OVERSIGHT v. U.S. DEPARTMENT OF  
 HOMELAND SECURITY  
 Assigned to: Judge Ketanji Brown Jackson  
 Demand: \$0  
 Case: 1:18-cv-01337-KBJ  
 Cause: 05:552 Freedom of Information Act

Date Filed: 06/06/2018  
 Jury Demand: None  
 Nature of Suit: 895 Freedom of  
 Information Act  
 Jurisdiction: U.S. Government Defendant

**Plaintiff**

**AMERICAN OVERSIGHT**

represented by **Sara Kaiser Creighton**  
 AMERICAN OVERSIGHT  
 1030 15th Street, NW  
 Suite B255  
 Washington, DC 20005  
 (202) 869-5246  
 Fax: (202) 871-6523  
 Email: [sara.creighton@americanoversight.org](mailto:sara.creighton@americanoversight.org)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Cerissa Cafasso**  
 AMERICAN OVERSIGHT  
 1030 15th Street, NW  
 Suite B255  
 Washington, DC 20005  
 (202) 869-5244  
 Fax: (202) 871-6523  
 Email: [cerissa.cafasso@americanoversight.org](mailto:cerissa.cafasso@americanoversight.org)  
**TERMINATED: 10/21/2019**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**U.S. DEPARTMENT OF  
 HOMELAND SECURITY**

represented by **Denise M. Clark**  
 U.S. ATTORNEY'S OFFICE FOR THE  
 DISTRICT OF COLUMBIA  
 555 Fourth Street, NW  
 Washington, DC 20530  
 (202) 252-6605  
 Fax: (202) 252-2599  
 Email: [denise.clark@usdoj.gov](mailto:denise.clark@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**April Denise Seabrook**  
 U.S. ATTORNEY'S OFFICE FOR THE  
 DISTRICT OF COLUMBIA  
 555 Fourth Street, NW  
 Washington, DC 20530  
 (202) 252-2525  
 Fax: (202) 252-2599  
 Email: [april.seabrook@usdoj.gov](mailto:april.seabrook@usdoj.gov)  
**TERMINATED: 04/25/2019**

| Date Filed | # | Docket Text |
|------------|---|-------------|
|------------|---|-------------|

|            |           |  |
|------------|-----------|--|
| 06/06/2018 | <u>1</u>  | COMPLAINT against U.S. DEPARTMENT OF HOMELAND SECURITY ( Filing fee \$ 400 receipt number 0090-5520214) filed by AMERICAN OVERSIGHT. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons)(Cafasso, Cerissa) (Entered: 06/06/2018)   |
| 06/06/2018 | <u>2</u>  | NOTICE OF RELATED CASE by AMERICAN OVERSIGHT. Case related to Case No. 18-cv-1337. (Cafasso, Cerissa) (Entered: 06/06/2018)  |
| 06/06/2018 | <u>3</u>  | LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by AMERICAN OVERSIGHT (Cafasso, Cerissa) (Entered: 06/06/2018)  |
| 06/06/2018 |           | Case Assigned to Judge Ketanji Brown Jackson. (zmd) (Entered: 06/08/2018)  |
| 06/08/2018 | <u>4</u>  | SUMMONS (3) Issued Electronically as to U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent) (zmd) (Entered: 06/08/2018)   |
| 07/02/2018 | <u>5</u>  | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF HOMELAND SECURITY served on 6/18/2018, RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 6/18/2018., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 6/11/2018. ( Answer due for ALL FEDERAL DEFENDANTS by 7/11/2018.) (Attachments: # <u>1</u> Exhibit A)(Cafasso, Cerissa) (Entered: 07/02/2018)     |
| 07/10/2018 | <u>6</u>  | Unopposed MOTION for Extension of Time to File Answer re <u>1</u> Complaint, by U.S. DEPARTMENT OF HOMELAND SECURITY (Attachments: # <u>1</u> Text of Proposed Order)(Seabrook, April) (Entered: 07/10/2018)   |
| 07/11/2018 | <u>7</u>  | NOTICE by AMERICAN OVERSIGHT re <u>6</u> Unopposed MOTION for Extension of Time to File Answer re <u>1</u> Complaint, (Attachments: # <u>1</u> Declaration, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D)(Cafasso, Cerissa) (Entered: 07/11/2018)  |
| 07/11/2018 | <u>8</u>  | RESPONSE re <u>6</u> Unopposed MOTION for Extension of Time to File Answer re <u>1</u> Complaint, filed by AMERICAN OVERSIGHT. (See Docket Entry <u>7</u> to view document) (jf) (Entered: 07/11/2018)   |
| 07/11/2018 |           | MINUTE ORDER granting, for good cause shown, <u>6</u> Unopposed Motion for Extension of Time to Answer. IT is hereby ORDERED that Defendant shall answer or otherwise respond to the complaint on or before 8/10/2018. Signed by Judge Ketanji Brown Jackson on 07/11/2018. (lckbj1) (Entered: 07/11/2018)   |
| 08/10/2018 | <u>9</u>  | ANSWER to Complaint and Affirmative Defenses by U.S. DEPARTMENT OF HOMELAND SECURITY.(Seabrook, April) (Entered: 08/10/2018)   |
| 09/04/2018 | <u>10</u> | GENERAL ORDER AND GUIDELINES APPLICABLE TO FOIA CASES ASSIGNED TO JUDGE KETANJI BROWN JACKSON. The Court will hold the parties and counsel responsible for following these directives, and parties and counsel should pay particular attention to the Courts instructions for processing and production of records, batching motions, and filing exhibits. Failure to adhere to this Order may, when appropriate, result the imposition of sanctions and/or sua sponte denial of non-conforming motions. Signed by Judge Ketanji Brown Jackson on 9/4/2018. (lckbj1) (Entered: 09/04/2018) |
| 09/04/2018 |           | MINUTE ORDER. Before the Court in this FOIA case are a complaint and an answer. It is hereby ORDERED that the parties shall review this Court's <u>10</u> General Order and Guidelines Applicable to FOIA Cases, and promptly confer and file a joint proposed schedule for disclosure or briefing motions for summary judgment, on or before 9/18/2018. Signed by Judge Ketanji Brown Jackson on 09/4/2018. (lckbj1) (Entered: 09/04/2018)  |
| 09/06/2018 |           | Set/Reset Deadlines: Proposed Briefing Schedule due by 9/18/2018 (tj) (Entered: 09/06/2018)  |
| 09/18/2018 | <u>11</u> | Joint STATUS REPORT by AMERICAN OVERSIGHT. (Cafasso, Cerissa) (Entered: 09/18/2018)  |

|            |           |   |
|------------|-----------|---|
| 09/18/2018 |           | MINUTE ORDER. In light of the representations in the parties' <u>11</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report on or before 10/18/2018, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 9/18/2018. (lckbj1) (Entered: 09/18/2018)   |
| 10/18/2018 | <u>12</u> | Joint STATUS REPORT by AMERICAN OVERSIGHT. (Attachments: # <u>1</u> Text of Proposed Order)(Cafasso, Cerissa) (Entered: 10/18/2018)   |
| 10/19/2018 |           | MINUTE ORDER. In light of the similar nature of this case and related case No. 18-cv-1337, this Court has determined that it will consider the cases on parallel timetables. Accordingly, it is hereby ORDERED that the parties shall file a further joint status report on or before 11/16/2018, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Any proposed schedule in this matter should be the same as any schedule proposed in 18-cv-1337. Signed by Judge Ketanji Brown Jackson on 10/19/2018. (lckbj1) (Entered: 10/19/2018) |
| 10/23/2018 |           | Set/Reset Deadlines: Joint Status Report due by 11/16/2018 (hs) (Entered: 10/23/2018)   |
| 11/16/2018 | <u>13</u> | NOTICE of Appearance by Denise M. Clark on behalf of U.S. DEPARTMENT OF HOMELAND SECURITY (Clark, Denise) (Entered: 11/16/2018)   |
| 11/16/2018 | <u>14</u> | Joint STATUS REPORT by U.S. DEPARTMENT OF HOMELAND SECURITY. (Clark, Denise) (Entered: 11/16/2018)  |
| 11/21/2018 |           | MINUTE ORDER. In light of the representations in the parties' <u>14</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report on or before 12/14/2018, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 11/21/2018. (lckbj2) (Entered: 11/21/2018)  |
| 11/21/2018 |           | Set/Reset Deadlines: Status Report due by 12/14/2018 (tj) (Entered: 11/21/2018)   |
| 11/21/2018 |           | MINUTE ORDER requiring Plaintiff to show cause why this case should not be consolidated with American Oversight v. U.S. Customs and Border Protection, 18-cv-1337 (KBJ). American Oversight is the plaintiff in both cases, and the complaints in the two cases are mostly identical. Consequently, it is hereby ORDERED that, on or before November 30, 2018, Plaintiff shall SHOW CAUSE why the instant case should not be consolidated with the proceedings in 18-cv-1337. Signed by Judge Ketanji Brown Jackson on 11/21/2018. (lckbj2) (Entered: 11/21/2018)                             |
| 11/26/2018 |           | Set/Reset Deadlines: Show Cause due by 11/30/2018. (gdf) (Entered: 11/26/2018)  |
| 11/30/2018 | <u>15</u> | RESPONSE TO ORDER TO SHOW CAUSE by AMERICAN OVERSIGHT re Order,, . (Attachments: # <u>1</u> Exhibit A)(Cafasso, Cerissa) (Entered: 11/30/2018)  |
| 12/04/2018 |           | MINUTE ORDER DISCHARGING Order to Show Cause. Signed by Judge Ketanji Brown Jackson on 12/4/2018. (lckbj1) (Entered: 12/04/2018)  |
| 12/14/2018 | <u>16</u> | Joint STATUS REPORT by U.S. DEPARTMENT OF HOMELAND SECURITY. (Clark, Denise) (Entered: 12/14/2018)  |
| 12/18/2018 |           | MINUTE ORDER. In light of the representations in the parties' <u>16</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report on or before 1/15/2019, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 12/18/2018. (lckbj1) (Entered: 12/18/2018)   |
| 01/15/2019 | <u>17</u> | Unopposed MOTION to Stay , Unopposed MOTION for Extension of Time to <i>All Deadlines</i> by U.S. DEPARTMENT OF HOMELAND SECURITY (Attachments: # <u>1</u> Text of Proposed Order)(Pfaffenroth, Peter) (Entered: 01/15/2019)  |
| 01/16/2019 |           | MINUTE ORDER granting <u>12</u> Motion to Stay in light of lapse of appropriations. For good cause shown, it is hereby ORDERED that this case is STAYED. Counsel for Defendant shall notify the Court as soon as Congress has appropriated funds; at that point, the Court will enter an order resetting the applicable deadlines, which will be extended day-for-day with the duration of the lapse in appropriations. Signed by Judge Ketanji Brown Jackson on 1/16/2019. (lckbj1) (Entered: 01/16/2019)  |

|            |           |  |
|------------|-----------|--|
| 01/28/2019 | <u>18</u> | NOTICE of Restored Government Funding by U.S. DEPARTMENT OF HOMELAND SECURITY (Clark, Denise) (Entered: 01/28/2019)  |
| 01/31/2019 |           | MINUTE ORDER. Defendant has provided notice that that an appropriations act providing funding to the Department of Justice for a three-week period of time was enacted on January 25, 2019 (ECF No. <u>18</u> .) Accordingly, it is hereby ORDERED that the stay in this matter is lifted, and that on or before 2/15/2019, the parties shall file a joint status report, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 1/29/2019. (lckbj1) (Entered: 01/31/2019) |
| 02/15/2019 | <u>19</u> | Joint STATUS REPORT by AMERICAN OVERSIGHT. (Cafasso, Cerissa) (Entered: 02/15/2019)  |
| 02/20/2019 |           | MINUTE ORDER. In light of the representations in the parties' <u>19</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report on or before 3/15/2019, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 2/20/2019. (lckbj1) (Entered: 02/20/2019)   |
| 03/15/2019 | <u>20</u> | Joint STATUS REPORT by AMERICAN OVERSIGHT. (Attachments: # <u>1</u> Text of Proposed Order)(Cafasso, Cerissa) (Entered: 03/15/2019)  |
| 03/18/2019 |           | MINUTE ORDER. In light of the representations in the parties' <u>20</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report on or before 4/23/2019, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 3/18/2019. (lckbj1) (Entered: 03/18/2019)   |
| 04/23/2019 | <u>21</u> | Joint STATUS REPORT by AMERICAN OVERSIGHT. (Attachments: # <u>1</u> Text of Proposed Order)(Cafasso, Cerissa) (Entered: 04/23/2019)  |
| 04/25/2019 | <u>22</u> | NOTICE OF WITHDRAWAL OF APPEARANCE as to U.S. DEPARTMENT OF HOMELAND SECURITY. Attorney April Denise Seabrook terminated. (Seabrook, April) (Entered: 04/25/2019)  |
| 04/26/2019 |           | MINUTE ORDER. In light of the representations in the parties' <u>21</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report on or before 6/11/2019, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 4/26/2019. (lckbj1) (Entered: 04/26/2019)   |
| 06/11/2019 | <u>23</u> | Joint STATUS REPORT by U.S. DEPARTMENT OF HOMELAND SECURITY. (Clark, Denise) (Entered: 06/11/2019)   |
| 06/12/2019 |           | MINUTE ORDER. In light of the representations in the parties' <u>23</u> Joint Status Report, it is hereby ORDERED that, on or before 7/19/2019, the parties shall file a further joint status report, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 6/12/2019. (lckbj1) (Entered: 06/12/2019)   |
| 07/19/2019 | <u>24</u> | Joint STATUS REPORT by AMERICAN OVERSIGHT. (Attachments: # <u>1</u> Text of Proposed Order)(Cafasso, Cerissa) (Entered: 07/19/2019)  |
| 07/29/2019 |           | MINUTE ORDER. In light of the representations in the parties' <u>24</u> Joint Status Report, it is hereby ORDERED that, on or before 8/21/2019, the parties shall file a further joint status report, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 7/29/19. (lckbj3) (Entered: 07/29/2019)   |
| 08/21/2019 | <u>25</u> | Joint STATUS REPORT by AMERICAN OVERSIGHT. (Attachments: # <u>1</u> Text of Proposed Order)(Cafasso, Cerissa) (Entered: 08/21/2019)  |
| 08/27/2019 |           | MINUTE ORDER. In light of the representations in the parties' <u>25</u> Joint Status Report, it is hereby ORDERED that, on or before 9/27/2019, the parties shall file a further joint status report, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 8/27/2019. (lckbj1) (Entered: 08/27/2019)   |

|            |           |  |
|------------|-----------|--|
| 09/26/2019 | <u>26</u> | Joint STATUS REPORT by U.S. DEPARTMENT OF HOMELAND SECURITY. (Clark, Denise) (Entered: 09/26/2019)   |
| 09/27/2019 |           | MINUTE ORDER. In light of the representations in the parties' <u>26</u> Joint Status Report, it is hereby ORDERED that, on or before 12/3/2019, the parties shall file a further joint status report, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 9/27/2019. (lckbj1) (Entered: 09/27/2019) |
| 09/30/2019 |           | Set/Reset Deadlines: Joint Status Report due by 12/3/2019 (hs) (Entered: 09/30/2019)   |
| 10/17/2019 | <u>27</u> | NOTICE of Appearance by Sara Kaiser Creighton on behalf of AMERICAN OVERSIGHT (Creighton, Sara) (Entered: 10/17/2019)  |
| 10/21/2019 | <u>28</u> | NOTICE OF WITHDRAWAL OF APPEARANCE as to AMERICAN OVERSIGHT. Attorney Cerissa Cafasso terminated. (Cafasso, Cerissa) (Entered: 10/21/2019)   |